

PATENT
02-AG-029/RR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
LUCA PIVIDORI) Group Art Unit: 2823.
Serial No.: 10/661,104)
Confirmation No.: 6564) Examiner: M. Estrada
Filed: September 12, 2003)
For: PROCESS FOR CONTACT)
OPENING DEFINITION FOR)
ACTIVE ELEMENT ELECTRICAL)
CONNECTIONS)

37 C.F.R. § 1.131 DECLARATION

I, the undersigned, am the Applicant for the above-identified patent application and hereby declare the following:

- 1) The pending claims of my above-identified patent application were rejected under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0048468 to Liu et al., which is entitled "Barrier Metal Cap Structure on Copper Lines and Vias" and was filed on September 10, 2002 ("Liu"). The Liu reference has a 35 U.S.C. § 102(e) date of September 10, 2002.
- 2) The invention claimed in the above-identified patent application was conceived and reduced to writing in a WTO member country prior to September 10, 2002. A letter and a patent proposal are attached hereto (with English translations) as evidence of conception prior to September 10, 2002. Both the letter and patent proposal were prepared prior to September 10, 2002.

I, the undersigned, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: LUCA PIVIDORI

Signature: Luca Pividori

Date: 03/08/2006